

1 UNITED STATES DISTRICT COURT

2 EASTERN DISTRICT OF TENNESSEE

3 SNMP RESEARCH, INC. and SNMP
4 RESEARCH INTERNATIONAL, INC.,

Case No. 3:20-cv-00451

5 Plaintiffs,

6 v.

7 BROADCOM INC.; BROCADE
COMMUNICATIONS SYSTEMS LLC; and
8 EXTREME NETWORKS, INC.

9 Defendants.

10 **MOTION TO EXTEND TIME TO RESPOND TO INITIAL COMPLAINT**
11 **AND [PROPOSED] ORDER**

12 Come now the Plaintiffs SNMP Research, Inc. and SNMP Research International, Inc.
13 (“Plaintiffs”) and Defendants Broadcom Inc., Brocade Communications Systems LLC, and Extreme
14 Networks, Inc. (“Defendants”¹), through their respective counsel, respectfully move the Court for
15 additional time for Defendants to file a response to Plaintiffs’ Complaint and for Plaintiffs to oppose
16 any motion(s) filed by Defendants as responsive pleadings;

17 WHEREAS Plaintiffs filed the Complaint in this action on October 26, 2020;

18 WHEREAS Plaintiffs served this Complaint upon the Defendants on October 27, 2020;

19 WHEREAS the parties stipulated to an extension of time under Local Rule 12.1 for the
20 Defendants to respond to the initial complaint on or before December 8, 2020;

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25 ¹ By filing this motion and proposed order, Defendants do not waive any defenses, including but not
limited to jurisdictional defenses.

1 WHEREAS the Complaint asserts several causes of action against Defendants concerning
2 numerous alleged copyrights and according to Defendants their investigation of the claims cannot be
3 completed within time such that a response can be filed by the current deadline;

4 WHEREAS counsel for Defendants also have conflicting commitments in other matters;

5 WHEREAS it will be convenient for all parties and the Court to have one response date for
6 all Defendants;

7 WHEREAS this request for additional time is not intended to delay the proceedings and
8 Plaintiffs have agreed to this extension subject to Court approval;

9 WHEREAS, in light of the complexity of the case and the upcoming holidays, Defendants
10 have agreed to provide Plaintiffs an additional two weeks to oppose any motion(s) filed by
11 Defendants as responsive pleadings;

12 WHEREAS, pursuant to Local Rule 7.1, a party ordinarily has 21 days to file an opposition
13 brief to any dispositive motion;

14 WHEREFORE, the parties request an order permitting Defendants to respond to the
15 Complaint on or before December 22, 2020 and permitting Plaintiffs to oppose any motion(s) filed
16 by Defendants as responsive pleadings on or before January 26, 2021.

17 Dated: December 2, 2020

HUESTON HENNIGAN LLP

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19 By: /s/ Alison Plessman
Alison Plessman
Attorneys for Defendants
Broadcom Corporation
Brocade Communications Systems LLC
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1 Dated: December 2, 2020

EGERTON, McAFEE, ARMISTEAD & DAVIS, P.C.

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3 By: /s/ John L. Wood
4 John L. Wood
5 Attorneys for Plaintiffs
6 SNMP Research, Inc.
7 SNMP Research International, Inc.

8 Dated: December 2, 2020

IRELL & MANELLA LLP

9 By: /s/ A. Matthew Ashley
10 A. Matthew Ashley
11 Attorneys for Plaintiffs
12 SNMP Research, Inc.
13 SNMP Research International, Inc.

14 Dated: December 2, 2020

SKADDEN, ARPS, SLATE, MEAGHER
& FLOM LLP

15 By: /s/ Jordan A. Feirman
16 Jordan A. Feirman
17 Attorneys for Defendant
18 Extreme Networks, Inc.

1 **[PROPOSED] ORDER**

2 Pursuant to the parties' motion, IT IS SO ORDERED. Defendants should answer or
3 otherwise respond to Plaintiffs' Complaint on or before December 22, 2020. Plaintiffs
4 should oppose or otherwise respond to any motion(s) filed by Defendants as responsive
5 pleadings on or before January 26, 2021.

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7 Dated: _____

8 JUDGE J. RONNIE GREER
9 UNITED STATES DISTRICT COURT
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